

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.121

U.S. Patent Application Serial No.: 10/538,856

Attorney Docket No.: 026390-00028

REMARKS

The Office Action dated December 5, 2008, has been received and carefully noted. The above amendments and the following remarks are being submitted as a full and complete response thereto. Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Summary of the Office Action

In the outstanding Office Action dated December 5, 2008, claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sumitomo Electric Industries, Ltd., JP 8-165582 A (hereinafter, "Sumitomo").

Summary Response to the Office Action

Claims 1 and 2 have been amended to more particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claims 3 and 4 have been withdrawn. Thus, claims 1 and 2 are currently pending in the application and subject to examination. Because support for the amended claims is provided in the application as originally filed, see, for example, FIG. 1 and paragraphs [0025] – [0028], the Applicant respectfully submits that no new matter is presented herein. To the extent that the rejection(s) remain applicable to the claims currently pending, the Applicant hereby traverses the rejection as follows.

Rejections Under 35 U.S.C. § 102(b)

Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sumitomo. In particular, the Applicant respectfully traverses the rejection of newly amended independent claim 1 because Sumitomo fails to teach each and every feature of that claim.

For example, newly amended independent claim 1 recites, amongst other features, “a component a film forming equipment for forming a thin film on a substrate” that has a matrix material and “a first film layer electrochemically less noble than the matrix material formed on the surface of the matrix material.” Applicant respectfully submits that Sumitomo does not disclose, teach or otherwise suggest a component in a film forming equipment, as claimed, much less one with “a first film layer electrochemically less noble than the matrix material formed on the surface of the matrix material,” as claimed.

Sumitomo does disclose a terminal material (title) that includes both a gold plated layer 3 and a chromium plated layer 2 (FIG. 1). However, as described in the title, paragraph [0001] and throughout the text of Sumitomo, the material is designed to be a “terminal” that is “used for the contact process terminal and sticking-by-pressure type terminal for connectors.” There is no mention of a film forming apparatus in Sumitomo, much less does Sumitomo disclose, teach or otherwise suggest that the gold plated layer 3 or the chromium plated layer 2 are to be plated onto a component “in a film forming equipment for forming a thin film,” as claimed. Rather, the disclosure of Sumitomo implicitly teaches away from using the terminal material in such a component or such equipment. Sumitomo specifically teaches that the terminal material

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is to be used to make an electrical contact to its surface as a “sticking-by-pressure” type terminal. In other words, the terminal material is designed to make electrical contact with another component through an exposed surface of the terminal material that is plated with gold. Therefore, according to the teachings of Sumitomo and as shown in FIGs. 1 and 2, the **surface of the terminal material must be exposed.** Not only is such a terminal material unsuitable for use in a film forming equipment, as claimed, Sumitomo actually **teaches away** from its use in a film forming equipment. If the terminal material of Sumitomo were to be used in a film forming equipment, it would necessarily be covered by the film formed by the equipment. It would, therefore, not be exposed as shown in FIGs. 1 and 2 of Sumitomo and could not be used for a “contact process terminal,” as taught by Sumitomo. Not only is the teaching that the terminal material is in a film forming equipment absent from Sumitomo, the disclosure of Sumitomo actually precludes the use of the terminal material in a film forming equipment, as claimed.

Further, Sumitomo explains in paragraph [0013] that the purpose of the metal layers shown in FIGs. 1 and 2 is to prevent the formation of corrosion on the terminal and to suppress oxidation in general in order to maintain an electrical contact to the terminal. In paragraph [0020] Sumitomo discloses that the gold and chromium plating layers 2 and 3 prevent corrosion when the terminal material’s surface is subject to pinholes which would otherwise subject portions of the base material 1 to oxidation. These pinholes are prevented in part because the gold plating layer 3 and the base material 1 are “covered” and “insulated” by the chrome plating layer 2. Obviously, this “covering” and “insulating” would only prevent corrosion or oxidation if the terminal

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material were exposed, as shown in FIGs. 1 and 2. On the other hand, if the terminal material were “in a film forming equipment,” as claimed, it would quickly become covered by the film formed by the equipment and would no longer be exposed. In that situation, the chromium plating layer 2 would no longer prevent corrosion or oxidation as disclosed in paragraph [0020]. Therefore, such a use would be contrary to the teachings of Sumitomo. Sumitomo also discloses rather specifically in the abstract and in paragraphs [0001], [0006] – [0008], that the various chrome and gold plating layers shown in FIGs. 1 and 2 are for providing a more robust electrical contact on a terminal that “suppress[es] the increase of the contract resistance due to oxidation corrosion even in the case that sealing treatment is not applied.” There is certainly no indication in Sumitomo that the terminal, its layers or any of the techniques discussed in Sumitomo are to be used in a film forming equipment, as claimed.

For at least these reasons, Sumitomo does not teach or suggest all of the features of newly amended independent claim 1. Moreover, Applicant also respectfully asserts that dependent claim 2 is allowable at least because of its dependency on newly amended independent claim 1 and for the additional features that it recites. Accordingly, Applicants respectfully request that the U.S.C. § 102(b) rejections of the Office Action of December 5, 2008 relating to these claims be withdrawn.

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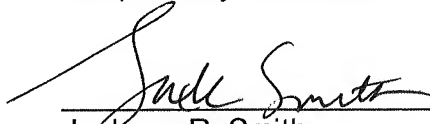
Conclusion

For all of the above reasons, it is respectfully submitted that claims 1-2 are in condition for allowance and a Notice of Allowability is earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is invited to contact the undersigned representative at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 referencing client matter number 026390-00028.

Respectfully submitted,



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